

Express Mail Label No.: EV312711726US
Date of Deposit: October 14, 2004

Attorney Docket No.: 23239-301C

AF #
Jrn

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Ellington et al.

SERIAL NUMBER: 09/883,119

EXAMINER: Janet L. Epps-Ford

FILING DATE: June 14, 2001

ART UNIT: 1635

FOR: REGULATABLE, CATALYTICALLY ACTIVE NUCLEIC ACIDS

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Boston, Massachusetts
October 14, 2004

NOTICE OF APPEAL

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's April 20, 2004 final Office Action in the above-identified application. A check in the amount of \$170.00 for filing this Notice of Appeal is enclosed as required by 37 CFR § 1.17(b). A duplicate copy of this Notice is enclosed. Applicants have concurrently filed a Petition for a Three-Month Extension of Time, along with the appropriate fee. With the extension, the Notice of Appeal is due on or before October 20, 2004.

The Commissioner is hereby authorized to charge payment of any fees required in connection with the papers transmitted herewith, or credit any overpayment of same, to Deposit Account No. 50-0311, (Reference No. 23239-301C).

Respectfully submitted,

Sr: 
Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicants
c/o MINTZ, LEVIN
One Financial Center
Boston, MA 02111
Telephone (617) 542 6000
Fax (617) 542 2241
Customer No. 30623

10/19/2004 MAHMED1 00000110 09883119

01 FC:2401

170.00 OP